



Senate

General Assembly

File No. 291

January Session, 2011

Substitute Senate Bill No. 1016

Senate, March 30, 2011

The Committee on Public Safety and Security reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING A DEPARTMENT OF EMERGENCY RESPONDER TRAINING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2011*) (a) There is established a
- 2 Department of Emergency Responder Training. Said department shall
- 3 be responsible for the training of police officers and firefighters in this
- 4 state. The department head shall be the executive director, who shall
- 5 be appointed by the Governor in accordance with the provisions of
- 6 sections 4-6 and 4-7 of the general statutes, with the powers and duties
- 7 prescribed in section 4-8 of the general statutes. The executive director
- 8 shall possess knowledge in matters relating to training standards and
- 9 methods relating to law enforcement or fire prevention and control.
- 10 No person possessing a record of any criminal, unlawful or unethical
- 11 conduct shall be eligible for or hold such position. The executive
- 12 director shall be the chief administrative officer of the department and
- 13 shall develop and periodically update and revise a comprehensive
- 14 municipal police training plan and establish standards for a fire service

15 training and education program. The executive director may do all
16 things necessary to apply for, qualify for and accept any federal funds
17 made available or allotted under any federal act relative to police
18 officer and firefighter training.

19 (b) The executive director may, within available appropriations,
20 employ any other personnel that may be necessary in the performance
21 of the department's functions.

22 (c) The executive director may enter into contracts for the furnishing
23 by any person or agency, public or private, of services necessary for
24 the proper execution of the duties of the department. Any such
25 contract that has a cost of three thousand dollars or more shall be
26 subject to the approval of the Attorney General.

27 (d) The executive director may accept contributions, grants, gifts,
28 donations, services or other financial assistance from any
29 governmental unit, public agency or the private sector and is
30 authorized to apply for, receive and distribute any federal or private
31 funds or contributions available for training and education of police or
32 fire fighting personnel.

33 (e) The executive director may perform any other acts that may be
34 necessary and appropriate to carry out the functions of the department
35 as set forth in sections 1 and 2 of this act and sections 3-122, 3-123, 3-
36 123e, 7-294a, 7-294b, 7-294d, 7-294e, 7-294f, 7-294g, 7-294l, 7-294m, 7-
37 294n, 7-294o, 7-294p, 7-294x, 7-294aa, 7-323j, 7-323k, 7-323l, 7-323p, 7-
38 323q, 14-286e, 21a-274a, 29-179i and 31-294i of the general statutes, as
39 amended by this act.

40 (f) The executive director shall annually submit a report to the
41 Governor and, in accordance with section 11-4a of the general statutes,
42 to the Joint Committee on Legislative Management relating to the
43 activities, recommendations and accomplishments of the department.

44 (g) The executive director may adopt such regulations, in
45 accordance with the provisions of chapter 54 of the general statutes, as

46 necessary to implement the duties of the department.

47 (h) The executive director shall, with respect to municipal police
48 officer training, be responsible for:

49 (1) Requiring that all probationary candidates receive the hours of
50 basic training deemed necessary before being eligible for certification,
51 such basic training to be completed within one year following the
52 appointment as a probationary candidate, unless the candidate is
53 granted additional time to complete such basic training by the
54 executive director;

55 (2) Requiring the registration of probationary candidates with the
56 academy not later than ten days after hiring for the purpose of
57 scheduling training;

58 (3) Issuing the appropriate certification to police officers who have
59 satisfactorily completed minimum basic training programs;

60 (4) Requiring that each police officer satisfactorily complete at least
61 forty hours of certified review training every three years in order to
62 maintain certification, unless the officer is granted additional time not
63 to exceed one year to complete such training by the council;

64 (5) Renewing the certification of those police officers who have
65 satisfactorily completed review training programs;

66 (6) Visiting and inspecting police basic training schools and
67 inspecting each school at least once each year;

68 (7) Consulting with and cooperating with universities, colleges and
69 institutions of higher education for the development of specialized
70 courses of study for police officers in police science and police
71 administration;

72 (8) Consulting with and cooperating with departments and agencies
73 of this state and other states and the federal government concerning
74 police training;

75 (9) Conducting any inspection and evaluation that may be necessary
76 to determine if a law enforcement unit is complying with the
77 provisions of this section;

78 (10) At the request and expense of any law enforcement unit,
79 conducting general or specific management surveys;

80 (11) Developing objective and uniform criteria for granting any
81 waiver of regulations or procedures;

82 (12) Appointing any council training instructor, or such other
83 person as determined by the council, to act as a special police officer
84 throughout the state as such instructor or other person's official duties
85 may require, provided any such instructor or other person so
86 appointed shall be a certified police officer and further provided each
87 such special police officer be sworn and be vested with the authority to
88 arrest and present before a competent authority any person for any
89 offense committed within the officer's precinct; and

90 (13) Recruiting, selecting and appointing candidates to the position
91 of probationary candidate, as defined in section 7-294a of the general
92 statutes, as amended by this act, and to provide recruit training for
93 candidates of the Connecticut Police Corps program in accordance
94 with the Police Corps Act, 42 USC 14091 et seq., as amended from time
95 to time.

96 (i) The executive director, with respect to the state fire training,
97 shall: (1) Administer the state's responsibilities under federal laws
98 relevant to fire service; and (2) develop a master plan for fire
99 prevention and control.

100 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The Department of
101 Emergency Responder Training shall maintain and operate a
102 municipal police officer training school. The department shall fix
103 tuition and fees for training and education programs and sessions and
104 for such other purposes deemed necessary for the operation and
105 support of the school, subject to the approval of the Office of Policy

106 and Management. Such fees shall be used solely for training and
107 educational purposes.

108 (b) The department may establish and maintain a municipal police
109 officer training school training and education extension account, which
110 shall be a separate, nonlapsing account within the General Fund. The
111 account shall contain any moneys required by law to be deposited in
112 the account. The account may be used for the operation of such
113 training and education extension programs and sessions as the
114 Department of Emergency Responder Training may establish. All
115 proceeds derived from the operation of the training and education
116 extension programs and sessions shall be deposited in the General
117 Fund and shall be credited to and become a part of the resources of the
118 account. All direct expenses incurred in the conduct of the training,
119 certification and education programs and sessions shall be charged,
120 and any payments of interest and principal of bonds or any sums
121 transferable to any fund for the payment of interest and principal of
122 bonds and any cost of equipment for such operations may be charged,
123 against the account on order of the State Comptroller. Any balance of
124 receipts above expenditures shall remain in the account to be used for
125 its training and education programs and sessions.

126 Sec. 3. Section 4-5 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective July 1, 2011*):

128 As used in sections 4-6, 4-7 and 4-8, the term "department head"
129 means Secretary of the Office of Policy and Management,
130 Commissioner of Administrative Services, Commissioner of Revenue
131 Services, Banking Commissioner, Commissioner of Children and
132 Families, Commissioner of Consumer Protection, Commissioner of
133 Correction, Commissioner of Economic and Community Development,
134 State Board of Education, Commissioner of Emergency Management
135 and Homeland Security, Commissioner of Environmental Protection,
136 Commissioner of Agriculture, Commissioner of Public Health,
137 Insurance Commissioner, Labor Commissioner, Liquor Control
138 Commission, Commissioner of Mental Health and Addiction Services,

139 Commissioner of Public Safety, Commissioner of Social Services,
140 Commissioner of Developmental Services, Commissioner of Motor
141 Vehicles, Commissioner of Transportation, Commissioner of Public
142 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
143 the chairperson of the Public Utilities Control Authority, the executive
144 director of the Board of Education and Services for the Blind, the
145 executive director of the Connecticut Commission on Culture and
146 Tourism, the executive director of the Department of Emergency
147 Responder Training and the executive director of the Office of Military
148 Affairs. As used in sections 4-6 and 4-7, "department head" also means
149 the Commissioner of Education.

150 Sec. 4. Section 4-38c of the general statutes is repealed and the
151 following is substituted in lieu thereof (*Effective July 1, 2011*):

152 There shall be within the executive branch of state government the
153 following departments: Office of Policy and Management, Department
154 of Administrative Services, Department of Revenue Services,
155 Department of Banking, Department of Agriculture, Department of
156 Children and Families, Department of Consumer Protection,
157 Department of Correction, Department of Economic and Community
158 Development, State Board of Education, Department of Emergency
159 Management and Homeland Security, Department of Emergency
160 Responder Training, Department of Environmental Protection,
161 Department of Public Health, Board of Governors of Higher
162 Education, Insurance Department, Labor Department, Department of
163 Mental Health and Addiction Services, Department of Developmental
164 Services, Department of Public Safety, Department of Social Services,
165 Department of Transportation, Department of Motor Vehicles,
166 Department of Veterans' Affairs, Department of Public Works and
167 Department of Public Utility Control.

168 Sec. 5. Section 7-294a of the general statutes is repealed and the
169 following is substituted in lieu thereof (*Effective July 1, 2011*):

170 As used in this section and sections 7-294b to 7-294e, inclusive, as
171 amended by this act, "academy" means the Connecticut Police

172 Academy; "applicant" means a prospective police officer who has not
173 commenced employment or service with a law enforcement unit;
174 "basic training" means the minimum basic law enforcement training
175 received by a police officer at the academy or at any other certified law
176 enforcement training academy; "certification" means the issuance by
177 the [Police Officer Standards and Training Council] Department of
178 Emergency Responder Training to a police officer, police training
179 school or law enforcement instructor of a signed instrument
180 evidencing satisfaction of the certification requirements imposed by
181 section 7-294d, as amended by this act, and signed by the [council]
182 department; "council" means the Police Officer Standards and Training
183 Council; "executive director" means the executive director of the
184 Department of Emergency Responder Training; "Governor" includes
185 any person performing the functions of the Governor by authority of
186 the law of this state; "review training" means training received after
187 minimum basic law enforcement training; "law enforcement unit"
188 means any agency, organ or department of this state or a subdivision
189 or municipality thereof, whose primary functions include the
190 enforcement of criminal or traffic laws, the preservation of public
191 order, the protection of life and property, or the prevention, detection
192 or investigation of crime; "police officer" means a sworn member of an
193 organized local police department, an appointed constable who
194 performs criminal law enforcement duties, a special policeman
195 appointed under section 29-18, 29-18a or 29-19 or any member of a law
196 enforcement unit who performs police duties; "probationary
197 candidate" means a police officer who, having satisfied
198 preemployment requirements, has commenced employment with a
199 law enforcement unit but who has not satisfied the training
200 requirements provided for in section 7-294d, as amended by this act;
201 and "school" means any school, college, university, academy or
202 training program approved by the council which offers law
203 enforcement training and includes a combination of a course
204 curriculum, instructors and facilities.

205 Sec. 6. Subsection (a) of section 7-294b of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective July*

207 1, 2011):

208 (a) There shall be a Police Officer Standards and Training Council
209 which shall be within the [Division of State Police of the Department of
210 Public Safety] Department of Emergency Responder Training for
211 administrative purposes only and which shall consist of the following
212 members appointed by the Governor: (1) A chief administrative officer
213 of a town or city in Connecticut; (2) the chief elected official or chief
214 executive officer of a town or city in Connecticut with a population
215 under twelve thousand which does not have an organized police
216 department; (3) a member of the faculty of The University of
217 Connecticut; (4) eight members of the Connecticut Police Chiefs
218 Association who are holding office or employed as chief of police or
219 the highest ranking professional police officer of an organized police
220 department of a municipality within the state; (5) the Chief State's
221 Attorney; (6) a sworn municipal police officer whose rank is sergeant
222 or lower; and (7) five public members. The Commissioner of Public
223 Safety and the Federal Bureau of Investigation special agent-in-charge
224 in Connecticut or their designees shall be voting ex-officio members of
225 the council. Any nonpublic member of the council shall immediately
226 upon the termination of his holding the office or employment which
227 qualified him for appointment cease to be a member of the council. A
228 member appointed to fill a vacancy shall be appointed for the
229 unexpired term of the member whom he is to succeed in the same
230 manner as the original appointment. The Governor shall appoint a
231 chairperson and the council shall appoint a vice-chairperson and a
232 secretary from among the members. The members of the council shall
233 serve without compensation but shall be entitled to actual expenses
234 involved in the performance of their duties.

235 Sec. 7. Section 7-294d of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective July 1, 2011*):

237 (a) The Police Officer Standards and Training Council shall [have
238 the following powers] make recommendations to the executive
239 director on the following:

- 240 (1) [To develop and periodically update and revise a] A
241 comprehensive municipal police training plan;
- 242 (2) [To approve, or revoke the] The approval of [.] any police
243 training school and [to issue] the issuance of certification to such
244 schools and [to revoke] the revocation of such certification;
- 245 (3) [To set the] The minimum courses of study and attendance
246 required and the equipment and facilities to be required of approved
247 police training schools;
- 248 (4) [To set the] The minimum qualifications for law enforcement
249 instructors and [to issue] the issuance of appropriate certification to
250 such instructors;
- 251 [(5) To require that all probationary candidates receive the hours of
252 basic training deemed necessary before being eligible for certification,
253 such basic training to be completed within one year following the
254 appointment as a probationary candidate, unless the candidate is
255 granted additional time to complete such basic training by the council;
- 256 (6) To require the registration of probationary candidates with the
257 academy within ten days of hiring for the purpose of scheduling
258 training;
- 259 (7) To issue appropriate certification to police officers who have
260 satisfactorily completed minimum basic training programs;
- 261 (8) To require that each police officer satisfactorily complete at least
262 forty hours of certified review training every three years in order to
263 maintain certification, unless the officer is granted additional time not
264 to exceed one year to complete such training by the council;
- 265 (9) To renew the certification of those police officers who have
266 satisfactorily completed review training programs;]
- 267 [(10) To establish] (5) The establishment of uniform minimum
268 educational and training standards for employment as a police officer

269 in full-time positions, temporary or probationary positions and part-
270 time or voluntary positions; and

271 [(11) To visit and inspect police basic training schools and to inspect
272 each school at least once each year;

273 (12) To consult with and cooperate with universities, colleges and
274 institutes for the development of specialized courses of study for
275 police officers in police science and police administration;

276 (13) To consult with and cooperate with departments and agencies
277 of this state and other states and the federal government concerned
278 with police training;

279 (14) To employ an executive director and, within available
280 appropriations, to employ any other personnel that may be necessary
281 in the performance of its functions;

282 (15) To perform any other acts that may be necessary and
283 appropriate to carry out the functions of the council as set forth in
284 sections 7-294a to 7-294e, inclusive;

285 (16) To accept contributions, grants, gifts, donations, services or
286 other financial assistance from any governmental unit, public agency
287 or the private sector;

288 (17) To conduct any inspection and evaluation that may be
289 necessary to determine if a law enforcement unit is complying with the
290 provisions of this section;

291 (18) At the request and expense of any law enforcement unit, to
292 conduct general or specific management surveys;

293 (19) To develop objective and uniform criteria for granting any
294 waiver of regulations or procedures established by the council;

295 (20) To recruit, select and appoint candidates to the position of
296 probationary candidate, as defined in section 7-294a, and provide
297 recruit training for candidates of the Connecticut Police Corps

298 program in accordance with the Police Corps Act, 42 USC 14091 et
299 seq., as amended from time to time;]

300 [(21) To develop, adopt and revise,] (6) The development, adoption
301 and revision, as necessary, of comprehensive accreditation standards
302 for the administration and management of law enforcement units, to
303 grant accreditation to those law enforcement units that demonstrate
304 their compliance with such standards and, at the request and expense
305 of any law enforcement unit, to conduct such surveys as may be
306 necessary to determine such unit's compliance with such standards. [;
307 and]

308 [(22) To appoint any council training instructor, or such other
309 person as determined by the council, to act as a special police officer
310 throughout the state as such instructor or other person's official duties
311 may require, provided any such instructor or other person so
312 appointed shall be a certified police officer. Each such special police
313 officer shall be sworn and may arrest and present before a competent
314 authority any person for any offense committed within the officer's
315 precinct.]

316 (b) No person may be employed as a police officer by any law
317 enforcement unit for a period exceeding one year unless he or she has
318 been certified under the provisions of subsection (a) of this section or
319 has been granted an extension by the [council] executive director. No
320 person may serve as a police officer during any period when his
321 certification has been cancelled or revoked pursuant to the provisions
322 of subsection (c) of this section. In addition to the requirements of this
323 subsection, the [council] executive director may establish other
324 qualifications for the employment of police officers and require
325 evidence of fulfillment of these qualifications. The certification of any
326 police officer who is not employed by a law enforcement unit for a
327 period of time in excess of two years, unless such officer is on leave of
328 absence, shall be considered lapsed. Upon reemployment as a police
329 officer, such officer shall apply for recertification in a manner provided
330 by the [council] executive director. The [council] executive director

331 shall certify any applicant who presents evidence of satisfactory
332 completion of a program or course of instruction in another state
333 equivalent in content and quality to that required in this state,
334 provided he or she passes an examination or evaluation as required by
335 the [council] executive director.

336 (c) (1) The [council] executive director may refuse to renew any
337 certificate if the holder fails to meet the requirements for renewal of his
338 or her certification.

339 (2) The [council] executive director may cancel or revoke any
340 certificate if: (A) The certificate was issued by administrative error, (B)
341 the certificate was obtained through misrepresentation or fraud, (C)
342 the holder falsified any document in order to obtain or renew any
343 certificate, (D) the holder has been convicted of a felony, (E) the holder
344 has been found not guilty of a felony by reason of mental disease or
345 defect pursuant to section 53a-13, (F) the holder has been convicted of
346 a violation of subsection (c) of section 21a-279 or section 29-9, (G) the
347 holder has been refused issuance of a certificate or similar
348 authorization or has had his or her certificate or other authorization
349 cancelled or revoked by another jurisdiction on grounds which would
350 authorize cancellation or revocation under the provisions of this
351 subdivision, (H) the holder has been found by a law enforcement unit,
352 pursuant to procedures established by such unit, to have used a
353 firearm in an improper manner which resulted in the death or serious
354 physical injury of another person, or (I) the holder has been found by a
355 law enforcement unit, pursuant to procedures established by such
356 unit, to have committed any act that would constitute tampering with
357 or fabricating physical evidence in violation of section 53a-155, perjury
358 in violation of section 53a-156 or false statement in the second degree
359 in violation of section 53a-157b. Whenever the [council] executive
360 director believes there is a reasonable basis for cancellation or
361 revocation of the certification of a police officer, police training school
362 or law enforcement instructor, [it] he or she shall give notice and an
363 adequate opportunity for a hearing prior to such cancellation or
364 revocation. The [council] executive director may cancel or revoke any

365 certificate if, after a de novo review, [it] he or she finds by clear and
366 convincing evidence (i) a basis set forth in subparagraphs (A) to (G),
367 inclusive, of this subdivision, or (ii) that the holder of the certificate
368 committed an act set forth in subparagraph (H) or (I) of this
369 subdivision. Any police officer or law enforcement instructor whose
370 certification is cancelled or revoked pursuant to this section may
371 reapply for certification no sooner than two years after the date on
372 which the cancellation or revocation order becomes final. Any police
373 training school whose certification is cancelled or revoked pursuant to
374 this section may reapply for certification at any time after the date on
375 which such order becomes final.

376 (d) Notwithstanding the provisions of subsection (b) of this section,
377 any police officer, except a probationary candidate, who is serving
378 under full-time appointment on July 1, 1982, shall be deemed to have
379 met all certification requirements and shall be automatically certified
380 by the [council] executive director in accordance with the provisions of
381 subsection (a) of section 7-294e, as amended by this act.

382 (e) The provisions of this section shall apply to any person who
383 performs police functions. As used in this subsection, "performs police
384 functions" for a person who is not a police officer, as defined in section
385 7-294a, as amended by this act, means that in the course of his or her
386 official duties, such person carries a firearm and exercises arrest
387 powers pursuant to section 54-1f or engages in the prevention,
388 detection or investigation of crime, as defined in section 53a-24. The
389 [council] executive director shall establish criteria by which the
390 certification process required by this section shall apply to police
391 officers.

392 (f) The provisions of this section shall not apply to (1) any state
393 police training school or program, (2) any sworn member of the
394 Division of State Police within the Department of Public Safety, (3)
395 Connecticut National Guard security personnel, when acting within
396 the scope of their National Guard duties, who have satisfactorily
397 completed a program of police training conducted by the United States

398 Army or Air Force, (4) employees of the Judicial Department, (5)
399 municipal animal control officers appointed pursuant to section 22-
400 331, or (6) fire police appointed pursuant to section 7-313a. The
401 provisions of this section with respect to renewal of certification upon
402 satisfactory completion of review training programs shall not apply to
403 any chief inspector or inspector in the Division of Criminal Justice who
404 has satisfactorily completed a program of police training conducted by
405 the division.

406 Sec. 8. Section 7-294e of the general statutes is repealed and the
407 following is substituted in lieu thereof (*Effective July 1, 2011*):

408 (a) Notwithstanding the provisions of any general statute or special
409 act or local law, ordinance or charter to the contrary, each police officer
410 shall forfeit his or her appointment and position unless recertified by
411 the [council] executive director according to procedures and within the
412 time frame established by [the council] said director.

413 (b) The [Police Officer Standards and Training Council] Department
414 of Emergency Responder Training may adopt any regulations [it] the
415 executive director deems necessary to carry out the provisions of
416 section 7-294a, as amended by this act, subsection (a) of section 7-294b,
417 as amended by this act, sections 7-294c, 7-294d, as amended by this act,
418 and this section in accordance with the provisions of chapter 54, giving
419 due consideration to the varying factors and special requirements of
420 law enforcement units. Such regulations shall be binding upon all law
421 enforcement units, except the Division of State Police within the
422 Department of Public Safety.

423 Sec. 9. Section 7-294f of the general statutes is repealed and the
424 following is substituted in lieu thereof (*Effective July 1, 2011*):

425 Each police basic training program conducted or administered by
426 the Division of State Police within the Department of Public Safety, the
427 [Police Officer Standards and Training Council established under
428 section 7-294b] Department of Emergency Responder Training or
429 municipal police department in the state shall include a course on

430 sexual assault investigation and rape crisis intervention and each
431 review training program conducted by such agencies shall make
432 provision for such a course.

433 Sec. 10. Section 7-294g of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective July 1, 2011*):

435 (a) Each police basic or review training program conducted or
436 administered by the Division of State Police within the Department of
437 Public Safety, by the [Police Officer Standards and Training Council
438 established under section 7-294b] Department of Emergency
439 Responder Training or by a municipal police department in the state
440 shall provide a minimum of two hours of training on the subject of
441 domestic violence that includes, but is not limited to, the following: (1)
442 Enforcement of criminal laws applicable in cases involving domestic
443 violence; (2) techniques for handling incidents of domestic violence
444 which promote the safety of the victim and the officer and which
445 reduce the likelihood of recurrence; (3) organizations in the state that
446 offer aid or shelter to victims of domestic violence; (4) applicable
447 procedures in the prosecution of cases involving domestic violence; (5)
448 orders issued by a court pursuant to chapter 815a. The Division of
449 State Police, the [Police Officer Standards and Training Council]
450 Department of Emergency Responder Training or municipal police
451 departments, in consultation with the Connecticut Task Force on
452 Abused Women, shall develop a program curriculum and shall submit
453 such curriculum to the task force for approval. Individual shelter
454 programs in the task force may also conduct domestic violence
455 training in conjunction with any police training program.

456 (b) Each police basic training program conducted or administered
457 by the Division of State Police within the Department of Public Safety,
458 by the [Police Officer Standards and Training Council established
459 under section 7-294b] Department of Emergency Responder Training
460 or by a municipal police department in the state shall include a course
461 on the recognition and management of child abuse and suicide
462 intervention procedures.

463 Sec. 11. Section 7-294l of the general statutes is repealed and the
464 following is substituted in lieu thereof (*Effective July 1, 2011*):

465 Each police basic or review training program conducted or
466 administered by the Division of State Police within the Department of
467 Public Safety, the [Police Officer Standards and Training Council
468 established under section 7-294b] Department of Emergency
469 Responder Training or a municipal police department in the state shall
470 include training on gang-related violence.

471 Sec. 12. Section 7-294m of the general statutes is repealed and the
472 following is substituted in lieu thereof (*Effective July 1, 2011*):

473 (1) The [Police Officer Standards and Training Council established
474 under section 7-294b] Department of Emergency Responder Training,
475 in conjunction with the office of the Chief State's Attorney and the
476 Connecticut Police Chiefs Association, and (2) the Division of State
477 Police within the Department of Public Safety, in conjunction with the
478 office of the Chief State's Attorney, shall provide instruction on the
479 subject of new legal developments which affect police policies and
480 practices concerning the investigation, detection and prosecution of
481 criminal matters, each year to the chief law enforcement officer of each
482 municipality and any person designated by such officer to serve in
483 such capacity in such officer's absence. Each such officer may be given
484 credit for such course of instruction toward the certified review
485 training required by subsection (a) of section 7-294d, as amended by
486 this act. Such training program shall be named "The John M. Bailey
487 Seminar on New Legal Developments Impacting Police Policies and
488 Practices".

489 Sec. 13. Section 7-294n of the general statutes is repealed and the
490 following is substituted in lieu thereof (*Effective July 1, 2011*):

491 Each police basic or review training program conducted or
492 administered by the Division of State Police within the Department of
493 Public Safety, the [Police Officer Standards and Training Council
494 established under section 7-294b] Department of Emergency

495 Responder Training or a municipal police department in the state shall
496 include training relative to crimes motivated by bigotry or bias.

497 Sec. 14. Section 7-294o of the general statutes is repealed and the
498 following is substituted in lieu thereof (*Effective July 1, 2011*):

499 Not later than January 1, [2008] 2012, the [Police Officer Standards
500 and Training Council] Department of Emergency Responder Training
501 shall develop and implement a policy concerning the acceptance of
502 missing person reports by law enforcement agencies in this state and
503 such agencies' response thereto. Such policy shall include, but not be
504 limited to, guidelines for the acceptance of a missing person report, the
505 types of information that a law enforcement agency should seek to
506 ascertain and record concerning the missing person that would aid in
507 locating the missing person, the circumstances that indicate that a
508 missing person is a high risk missing person, the types of information
509 that a law enforcement agency should provide to the person making
510 the missing person report, a family member or any other person in a
511 position to assist the law enforcement agency in its efforts to locate the
512 missing person and the responsibilities of a law enforcement agency in
513 responding to a missing person report and the manner of such
514 response.

515 Sec. 15. Section 7-294p of the general statutes is repealed and the
516 following is substituted in lieu thereof (*Effective July 1, 2011*):

517 The [Police Officer Standards and Training Council] Department of
518 Emergency Responder Training may recover from any municipality
519 [that (1) operated a local police training school, and (2) ceased the
520 operation of such school on or after January 1, 2007,] the costs of
521 providing law enforcement training [at the Connecticut Police
522 Academy] for such municipality's recruits.

523 Sec. 16. Section 7-294x of the general statutes is repealed and the
524 following is substituted in lieu thereof (*Effective July 1, 2011*):

525 The [Police Officer Standards and Training Council established

526 under section 7-294b] Department of Emergency Responder Training
527 shall provide training to security personnel employed in the public
528 schools by a local or regional board of education. Such training shall
529 include drug detection and gang identification.

530 Sec. 17. Section 7-294aa of the general statutes is repealed and the
531 following is substituted in lieu thereof (*Effective July 1, 2011*):

532 (a) Any sworn police officer employed by the state or a municipality
533 who takes a leave of absence or resigns from such officer's
534 employment on or after September 11, 2001, to volunteer for
535 participation in international peacekeeping operations, is selected for
536 such participation by a company which the United States Department
537 of State has contracted with to recruit, select, equip and deploy police
538 officers for such peacekeeping operations, and participates in such
539 peacekeeping operations under the supervision of the United Nations,
540 the Organization for Security and Cooperation in Europe or other
541 sponsoring organization, shall be entitled, upon return to the United
542 States, (1) to be restored by such officer's employer to the position of
543 employment held by the officer when the leave commenced, or (2) if
544 the original position of employment is not available, to be restored to
545 an equivalent position with equivalent employment benefits, pay and
546 other terms and conditions of employment, provided not later than six
547 months after such return such officer notifies such officer's employer of
548 such return and such officer's desire to be restored to such officer's
549 original position of employment or an equivalent position of
550 employment.

551 (b) The [Police Officer Standards and Training Council] Department
552 of Emergency Responder Training shall not cancel or revoke the
553 certification of a police officer during the period such officer is
554 participating in international peacekeeping operations outside the
555 United States in accordance with subsection (a) of this section and for a
556 period of six months after such officer returns to the United States,
557 except for a reason specified in subsection (c) of section 7-294d, as
558 amended by this act.

559 Sec. 18. Section 14-286e of the general statutes is repealed and the
560 following is substituted in lieu thereof (*Effective July 1, 2011*):

561 (a) Any police officer, firefighter or person engaged in providing
562 emergency services who operates a bicycle in response to an
563 emergency call or while engaged in rescue operations or in the
564 immediate pursuit of an actual or suspected violator of the law shall be
565 exempt from the provisions of sections 14-286, 14-286a, 14-286b, 14-
566 286c and 14-289 provided (1) the police officer, firefighter or person
567 engaged in providing emergency services is sixteen years of age or
568 older, (2) the police officer, firefighter or person engaged in providing
569 emergency services is wearing a distinctive uniform, and (3) the police
570 officer has completed a course of instruction in basic police bicycle
571 patrol certified by the [Police Officer Standards and Training Council]
572 Department of Emergency Responder Training or an equivalent course
573 of instruction, and the firefighter or person engaged in providing
574 emergency services has completed an equivalent course of basic
575 bicycle patrol.

576 (b) The exemptions granted in subsection (a) of this section shall
577 apply only when such bicycle is making use of an audible warning
578 signal device, including, but not limited to a siren, whistle or bell.

579 (c) The provisions of this section shall not relieve the operator of a
580 bicycle from the duty to drive with due regard for the safety of all
581 persons and property.

582 Sec. 19. Subsection (b) of section 21a-274a of the general statutes is
583 repealed and the following is substituted in lieu thereof (*Effective July*
584 *1, 2011*):

585 (b) There is established a safe neighborhoods grant program which
586 shall be administered by the Office of Policy and Management. Grants
587 may be made, on a competitive basis, to the cities of Bridgeport,
588 Danbury, Hartford, Meriden, Middletown, New Britain, New Haven,
589 New London, Norwalk, Norwich, Stamford, Waterbury and
590 Windham, and to the [Police Officer Standards and Training Council]

591 Department of Emergency Responder Training for the purpose of (1)
592 improving public safety in urban neighborhoods through programs
593 which increase police presence by hiring additional police officers and
594 establishing police substations for those neighborhoods, (2) involving
595 residents in crime prevention activities, including security
596 enhancements to neighborhood residences and business
597 establishments, and (3) improving public safety in urban
598 neighborhoods through programs which increase police presence by
599 increasing the hours worked by police officers during times when such
600 increased presence is most needed to deter and control illegal use of
601 firearms in those neighborhoods where there has been a high incidence
602 of illegal use of firearms in the commission of crime. A grantee shall
603 use the grant to increase police presence within the grantee's safe
604 neighborhoods project area and, with the approval of the Office of
605 Policy and Management, a grantee may use such grant to temporarily
606 increase police presence in high crime areas outside such project area.
607 The Secretary of the Office of Policy and Management shall adopt
608 regulations in accordance with chapter 54 for the administration of this
609 section. Such regulations shall include provisions for the establishment
610 of programs, the allocation of funds and the application process. For
611 purposes of this subsection, the term "safe neighborhoods project area"
612 means a single neighborhood within a municipality selected by the
613 municipality to be eligible for a safe neighborhoods grant.

614 Sec. 20. Subsection (a) of section 29-179i of the general statutes is
615 repealed and the following is substituted in lieu thereof (*Effective July*
616 *1, 2011*):

617 (a) There shall be a State-Wide Cooperative Crime Control Task
618 Force Policy Board which shall be in the Division of State Police within
619 the Department of Public Safety for administrative purposes only. The
620 policy board shall consist of a state committee and municipal
621 subcommittees representing each municipality participating in the
622 state-wide cooperative crime control task force. The state committee
623 shall consist of the Commissioner of Public Safety who shall be the
624 chairperson, the Chief Court Administrator or his or her designee, the

625 Chief State's Attorney or his or her designee, the Commissioner of
626 Correction or his designee, the executive director of the [Police Officer
627 Standards and Training Council] Department of Emergency
628 Responder Training or his or her designee, the Deputy Commissioner
629 of the Department of Public Safety, Division of State Police or his
630 designee, and the commanding officer of the task force. The municipal
631 subcommittees shall consist of the chief executive officer of the
632 participating municipality, the chief of police of the participating
633 municipality and three other members appointed by such chief
634 executive officer representing, but not limited to, the interests of the
635 business community, social and community services and education.

636 Sec. 21. Section 31-294i of the general statutes is repealed and the
637 following is substituted in lieu thereof (*Effective July 1, 2011*):

638 For the purpose of adjudication of claims for payment of benefits
639 under the provisions of this chapter to a uniformed member of a paid
640 municipal fire department or a regular member of a paid municipal
641 police department or constable who began such employment on or
642 after July 1, 1996, any condition or impairment of health caused by a
643 cardiac emergency occurring to such member on or after July 1, 2009,
644 while such member is in training for or engaged in fire duty at the site
645 of an accident or fire, or other public safety operation within the scope
646 of such member's employment for such member's municipal employer
647 that results in death or temporary or permanent total or partial
648 disability, shall be presumed to have been suffered in the line of duty
649 and within the scope of such member's employment, unless the
650 contrary is shown by a preponderance of the evidence, provided such
651 member successfully passed a physical examination on entry into
652 service conducted by a licensed physician designated by such
653 department which examination failed to reveal any evidence of such
654 condition. For the purposes of this section, "cardiac emergency" means
655 cardiac arrest or myocardial infarction, and "constable" means any
656 municipal law enforcement officer who is authorized to make arrests
657 and has completed [Police Officer Standards and Training Council]
658 Department of Emergency Responder Training certification pursuant

659 to section 7-294a, as amended by this act.

660 Sec. 22. Section 7-323j of the general statutes is repealed and the
661 following is substituted in lieu thereof (*Effective July 1, 2011*):

662 As used in this part, "executive director" means the executive
663 director of the Department of Emergency Responder Training;
664 "commission" means the Commission on Fire Prevention and Control;
665 "municipality" means town, city, consolidated town and city,
666 consolidated town and borough, borough, school district, fire district,
667 fire and sewer district, sewer district, lighting district or any other
668 municipal corporation or taxing district upon which is placed the duty
669 of, or which has itself assumed the duty of, protecting its inhabitants
670 from loss by fire; "fire fighting duties" means and includes duties
671 performed in connection with the suppression and prevention of fires,
672 fire training and rescue, fire investigation, arson investigation, details
673 and assignments to protect the public safety against fire and other
674 related work; "firefighters" means any person who is regularly
675 employed and paid by any municipality or by a contractor which is a
676 nonprofit corporation for the purpose of performing fire fighting
677 duties for a municipality on an average of not less than thirty-five
678 hours per week or any volunteer who performs fire fighting duties and
679 who elects to cooperate with the [commission] Department of
680 Emergency Responder Training in accordance with section 7-323m.

681 Sec. 23. Section 7-323k of the general statutes is repealed and the
682 following is substituted in lieu thereof (*Effective July 1, 2011*):

683 (a) There is established a Commission on Fire Prevention and
684 Control to consist of twelve members appointed by the Governor. The
685 State Fire Marshal or his designee and the chancellor of the
686 community-technical colleges or his designee shall serve as ex-officio,
687 voting members of said commission. Of the twelve members
688 appointed by the Governor, two shall represent The Connecticut State
689 Firemen's Association, two shall represent the Connecticut Fire Chiefs
690 Association, two shall represent the Uniformed Firefighters of the
691 International Association of Firefighters, AFL-CIO, two shall represent

692 the Connecticut Fire Marshals Association, two shall represent the
693 Connecticut Fire Department Instructors Association and two shall
694 represent the Connecticut Conference of Municipalities.

695 (b) On or before July fifteenth, annually, each organization to be
696 represented on said commission shall submit to the Governor a list of
697 nominees for appointment to said commission, which list the Governor
698 may use when making his appointments to said commission. On or
699 before September 1, 1975, the Governor shall appoint eight members of
700 said commission to serve for a term of three years and on or before
701 September 1, 1976, he shall appoint four members for a term of one
702 year. Thereafter he shall appoint members to said commission, to
703 replace those whose terms have expired, to serve for three years.
704 Persons appointed to said commission shall be qualified, by experience
705 or education, in the fields of fire protection, fire prevention, fire
706 suppression, fire fighting and related fields.

707 (c) The commission shall meet at such times and at such places as it
708 deems proper. Said commission shall elect from its membership a
709 chairman, vice chairman and secretary who shall serve a one year term
710 commencing on October first of the year in which they are elected,
711 provided nothing contained herein shall prevent their reelection to
712 such office. No member of said commission shall receive compensation
713 for his or her services.

714 (d) Members of the commission shall not be considered as holding
715 public office solely by virtue of their membership on said commission.

716 (e) The commission shall be within the Department of [Public
717 Safety] Emergency Responder Training for administrative purposes
718 only.

719 Sec. 24. Section 7-323l of the general statutes is repealed and the
720 following is substituted in lieu thereof (*Effective July 1, 2011*):

721 [(a)] The commission shall provide recommendations to the
722 executive director on the following:

723 (1) [Recommend minimum] Minimum standards of education and
724 physical condition required of each candidate for any firefighter
725 position;

726 (2) [Establish standards] Standards for a fire service training and
727 education program, on a voluntary basis, and [develop and conduct]
728 for an examination program to certify those fire service personnel who
729 satisfactorily demonstrate their ability to meet the requirements of the
730 fire service training and education program standards;

731 (3) [Conduct fire] Fire fighting training and education programs
732 designed to assist firefighters in developing and maintaining their
733 skills and keeping abreast of technological advances in fire
734 suppression, fire protection, fire prevention and related fields; and

735 (4) [Recommend standards] Standards for promotion to the various
736 ranks of fire departments. [;]

737 [(5) Be authorized to apply for, receive and distribute any federal or
738 private funds or contributions available for training and education of
739 fire fighting personnel; and

740 (6) Submit to the Governor and Joint Legislative Management
741 Committee of the General Assembly an annual report relating to the
742 activities, recommendations and accomplishments of the commission.

743 (b) The commission may adopt regulations, in accordance with the
744 provisions of chapter 54, as are necessary to implement the provisions
745 of this section.]

746 Sec. 25. Section 7-323p of the general statutes is repealed and the
747 following is substituted in lieu thereof (*Effective July 1, 2011*):

748 (a) The [Office of State Fire Administration] Department of
749 Emergency Responder Training shall maintain and operate a state fire
750 school which shall [serve as the] provide training and education. [arm
751 of the Commission on Fire Prevention and Control.] The use of any
752 hazardous material, as defined in section 29-307a, except a virgin fuel,

753 is prohibited in the simulation of any fire. The [office] department shall
754 fix fees for training and education programs and sessions and for such
755 other purposes deemed necessary for the operation and support of the
756 school, subject to the approval of the [commission] Secretary of the
757 Office of Policy and Management. Such fees shall be used solely for
758 training and education purposes.

759 (b) The [commission] department may establish and maintain a
760 state fire school training and education extension account, which shall
761 be a separate account within the General Fund. The account shall
762 contain any moneys required by law to be deposited in the account.
763 The account may be used for the operation of such training and
764 education extension programs and sessions as the [Office of State Fire
765 Administration] department may establish, for the purchase of such
766 equipment as is required for use in the operation of such programs and
767 sessions, [, and for (1) reimbursement to municipalities and municipal
768 fire departments for one-half of the costs of Firefighter I certification
769 and recruit training of municipal volunteer and paid fire service
770 personnel, and (2) reimbursement to state agencies for one-half of the
771 costs of Firefighter I certification and recruit training of state agency
772 fire service personnel.] All proceeds derived from the operation of the
773 training and education extension programs and sessions shall be
774 deposited in the General Fund and shall be credited to and become a
775 part of the resources of the account. All direct expenses incurred in the
776 conduct of the training, certification and education programs and
777 sessions shall be charged, and any payments of interest and principal
778 of bonds or any sums transferable to any fund for the payment of
779 interest and principal of bonds and any cost of equipment for such
780 operations may be charged, against the account on order of the State
781 Comptroller. Any balance of receipts above expenditures shall remain
782 in the account to be used for its training and education programs and
783 sessions, and for the acquisition, as provided by section 4b-21,
784 alteration and repairs of real property for educational facilities, except
785 such sums as may be required to be transferred from time to time to
786 any fund for the redemption of bonds and payment of interest on
787 bonds, provided repairs, alterations or additions to educational

788 facilities costing fifty thousand dollars or less shall require the
789 approval of the Commissioner of Public Works, and capital projects
790 costing over fifty thousand dollars shall require the approval of the
791 General Assembly or, when the General Assembly is not in session, of
792 the Finance Advisory Committee.

793 (c) The [commission] department may establish and maintain a state
794 fire school auxiliary services account, which shall be a separate account
795 within the General Fund. The account shall be used for the operation,
796 maintenance and repair of auxiliary service facilities and for such other
797 auxiliary activities of the state fire school as the [Office of State Fire
798 Administration] department determines. The proceeds of such
799 activities shall be deposited in the General Fund and shall be credited
800 to and become a part of the resources of the account. All direct
801 expenses of operation, maintenance and repair of facilities, food
802 services and other auxiliary activities shall be charged, and any
803 payments of interest and principal of bonds or any sums transferable
804 to any fund for the payment of interest and principal of bonds and any
805 cost of equipment for such operations may be charged, against the
806 account on order of the State Comptroller. Any balance of receipts
807 above expenditures shall remain in the account to be used for the
808 improvement and extension of such activities, except such sums as
809 may be required to be transferred from time to time to any fund for the
810 redemption of bonds and payment of interest on bonds, provided
811 repairs, alterations or additions to auxiliary service facilities costing
812 fifty thousand dollars or less shall require the approval of the
813 Commissioner of Public Works, and capital projects costing over fifty
814 thousand dollars shall require the approval of the General Assembly
815 or, when the General Assembly is not in session, of the Finance
816 Advisory Committee. The [commission] department, with the
817 approval of the Secretary of the Office of Policy and Management and
818 the Finance Advisory Committee, may borrow from the resources of
819 the General Fund at any time such sum or sums as it deems advisable,
820 to establish or continue auxiliary services activities, such sums to be
821 repaid in accordance with such schedule as the Secretary of the Office
822 of Policy and Management shall establish.

823 Sec. 26. Section 7-323q of the general statutes is repealed and the
824 following is substituted in lieu thereof (*Effective July 1, 2011*):

825 The state shall save harmless and indemnify any person certified as
826 a fire service instructor by the [Commission on Fire Prevention and
827 Control] Department of Emergency Responder Training under section
828 7-323l, as amended by this act, from financial loss and expense,
829 including legal fees and costs, if any, arising out of any claim, demand,
830 suit or judgment by reason of alleged negligence or other act resulting
831 in personal injury or property damage, which acts are not wanton,
832 reckless or malicious, provided such person, at the time of the acts
833 resulting in such injury or damage, was acting in the discharge of such
834 person's duties (1) as an employee or member of a municipal, state or
835 tribal nation fire department to provide fire service training and
836 instruction for the other members or employees of such municipal,
837 state or tribal nation fire department, (2) as a fire service instructor
838 employed by said [commission] department to provide fire service
839 training and instruction on behalf of said [commission] department, or
840 (3) as a fire service instructor employed by a regional fire school to
841 provide fire service training and instruction on behalf of such school.

842 Sec. 27. Section 3-122 of the general statutes is repealed and the
843 following is substituted in lieu thereof (*Effective July 1, 2011*):

844 When any person, under the provisions of the constitution and
845 bylaws of the Police Association of Connecticut, is entitled to relief
846 from said association as a police officer injured in the line of duty, or
847 rendered sick by disease contracted while in the line of duty, or as the
848 widow, child or dependent mother of a police officer killed in the line
849 of duty, the [Comptroller] executive director of the Department of
850 Emergency Responder Training shall, upon the delivery to him or her
851 of adequate proof from said association of the right of such person to
852 such relief as aforesaid, [draw his order upon the Treasurer in favor of
853 the] process payment for such person or persons entitled to such relief,
854 or their legal representatives, for the amount to which such person or
855 persons may be entitled as relief as aforesaid, provided such orders

856 shall be limited to available appropriations.

857 Sec. 28. Section 3-123 of the general statutes is repealed and the
858 following is substituted in lieu thereof (*Effective July 1, 2011*):

859 Whenever a person, under the provisions of the constitution and
860 bylaws of The Connecticut State Firefighters Association, is entitled to
861 relief from said association, as a firefighter injured in the line of duty,
862 or rendered sick by disease contracted while in the line of duty, or as
863 the widow or child of a firefighter killed in the line of duty, the
864 [Comptroller] executive director of the Department of Emergency
865 Responder Training shall, upon the delivery to him or her of proper
866 proofs from said association of the right of such person to relief as
867 aforesaid, [draw his order upon the Treasurer in favor of the] process
868 payment for such person or persons entitled to such relief, or their
869 legal representative, for the amount to which such person or persons
870 are entitled as relief as aforesaid, provided such orders shall be limited
871 to available appropriations.

872 Sec. 29. Section 3-123e of the general statutes is repealed and the
873 following is substituted in lieu thereof (*Effective July 1, 2011*):

874 The Comptroller, upon request of the executive director of the
875 Department of Emergency Responder Training, shall disburse to any
876 regional fire school, regional emergency dispatch center or any state or
877 county-wide fire radio base network, in the form of a grant, such funds
878 as may be appropriated to the [Comptroller] Department of
879 Emergency Responder Training for the purposes of such fire school,
880 emergency dispatch center or fire radio base network. Each such grant
881 shall be disbursed in equal quarterly amounts at the beginning of each
882 quarter of the state fiscal year. After the close of each fiscal year, each
883 such fire school, emergency dispatch center or fire radio base network
884 shall submit to the [Comptroller] executive director of the Department
885 of Emergency Responder Training, through the Connecticut State
886 Firemen's Association, an audited report concerning the disbursement
887 of such grant funds.

888 Sec. 30. Sections 7-323n, 7-323o and 7-323r of the general statutes are
 889 repealed. (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	4-5
Sec. 4	<i>July 1, 2011</i>	4-38c
Sec. 5	<i>July 1, 2011</i>	7-294a
Sec. 6	<i>July 1, 2011</i>	7-294b(a)
Sec. 7	<i>July 1, 2011</i>	7-294d
Sec. 8	<i>July 1, 2011</i>	7-294e
Sec. 9	<i>July 1, 2011</i>	7-294f
Sec. 10	<i>July 1, 2011</i>	7-294g
Sec. 11	<i>July 1, 2011</i>	7-294l
Sec. 12	<i>July 1, 2011</i>	7-294m
Sec. 13	<i>July 1, 2011</i>	7-294n
Sec. 14	<i>July 1, 2011</i>	7-294o
Sec. 15	<i>July 1, 2011</i>	7-294p
Sec. 16	<i>July 1, 2011</i>	7-294x
Sec. 17	<i>July 1, 2011</i>	7-294aa
Sec. 18	<i>July 1, 2011</i>	14-286e
Sec. 19	<i>July 1, 2011</i>	21a-274a(b)
Sec. 20	<i>July 1, 2011</i>	29-179i(a)
Sec. 21	<i>July 1, 2011</i>	31-294i
Sec. 22	<i>July 1, 2011</i>	7-323j
Sec. 23	<i>July 1, 2011</i>	7-323k
Sec. 24	<i>July 1, 2011</i>	7-323l
Sec. 25	<i>July 1, 2011</i>	7-323p
Sec. 26	<i>July 1, 2011</i>	7-323q
Sec. 27	<i>July 1, 2011</i>	3-122
Sec. 28	<i>July 1, 2011</i>	3-123
Sec. 29	<i>July 1, 2011</i>	3-123e
Sec. 30	<i>July 1, 2011</i>	Repealer section

Statement of Legislative Commissioners:

In sections 1(a) and (e), 5, 7(a)(15), 8(b) and 26, technical changes were made for clarity of reference.

PS *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Comptroller Misc. Accounts (Fringe Benefits); Police Officer Std. & Training Council ¹	GF - Savings	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 12 \$	FY 13 \$
Various Municipalities	STATE MANDATE - Cost	1,436,250	1,755,000

Explanation

The bill consolidates the Police Officer Standards and Training Council (POST) and the Commission on Fire Prevention and Control (CFPC) into the Department of Emergency Responder Training (DERT).

The Governor's budget assumes total savings of \$124,029 in FY 12 and \$245,503 in FY 13 related to these consolidations. These savings include:

(1) \$124,029 in FY 12 and \$245,503 in FY 13 associated with the elimination of one position currently under POST;

(2) none associated with the transfer of CFPC into DERT.

¹ The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated non-pension fringe benefit cost associated with personnel changes is 23.76% of payroll in FY 12 and FY 13. In addition, there could be an impact to potential liability for the applicable state pension funds.

The Governor's budget includes a transfer of:

- (1) twenty-one positions and funding of \$1,517,755 in FY 12 and \$1,037,527 from POST to DERT;
- (2) seventeen positions and funding of \$2,978,462 in FY 12 and \$2,736,865 in FY 13 from CFPC to DERT.

The bill also results in mandated costs to municipalities of \$1,436,250 in FY 12 and \$1,755,000 in FY 13 by:

- (1) requiring DERT to set tuition and fees for municipal police officer training and education programs;
- (2) eliminating reimbursements for Firefighter Training;
- (3) eliminating the supplemental award grant assistance program for certain volunteer fire companies.

The state incurs similar savings as POST and CFPC currently absorb all costs of training.

Sections 2 and 15 result in a mandated cost to municipalities associated with the requirement for DERT to charge tuition and fees for municipal police officer training. The bill does not establish the fees but rather allows DERT to fix the fees, subject to the approval of the Office of Policy and Management. The Governor's Budget Summary anticipates these fees to be \$2,500 per officer in the basic training program and \$100 per officer for each in-service training course. It is anticipated that these fees will be set by DERT and result in a total cost to municipalities of \$956,250 in FY 12 and \$1,275,000 in FY 13.

Currently, POST does not charge municipalities any fees for any courses offered.

Section 14 has no fiscal impact associated with the requirement of DERT to develop a missing persons policy. In January 2008, POST issued a policy on handling and accepting missing persons reports

which satisfies the intent of the bill.

Section 25 results in a total mandated cost of \$375,000 to municipalities and certain state agencies by eliminating the reimbursement for Firefighter Training I courses and fire personnel recruitment. The provision results in complementary savings of \$375,000 to the state as the costs are passed to the municipalities. Currently, municipalities and state agencies may request from CFPC a reimbursement of one-half the cost for such activities. CFPC currently caps the Firefighter Training I reimbursement at \$300 per trainee.

Section 30 results in savings of \$105,000 by eliminating the supplemental award grant assistance program. It is anticipated that the volunteer fire companies currently receiving this grant will incur additional costs that otherwise would be covered by the grant. The provision results in complementary savings of \$105,000 to the state as the costs are passed to the municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*Sources: FY 2012 - FY 2013 Biennium Governor's Budget Summary
Police Officer Standards and Training Council's Guidelines for Handling Missing
Persons Investigations and Acceptance of Reports, January 2008*

OLR Bill Analysis**sSB 1016*****AN ACT ESTABLISHING A DEPARTMENT OF EMERGENCY RESPONDER TRAINING.*****SUMMARY:**

This bill establishes a Department of Emergency Responder Training (DERT), headed by an executive director appointed by the governor, to train municipal police and firefighters. It transfers to DERT all the functions currently performed by the Police Officer Standards and Training Council (POST) and the Commission on Fire Prevention and Control (§ 1 *et seq.*).

The bill puts POST, which is responsible for municipal police training, and the commission, which is responsible for firefighter training, in DERT for administrative purposes only and makes them advisory, instead of policy making, bodies. Under current law, POST is within the State Police and the commission is within the Department of Public Safety (DPS), both for administrative purposes only. The bill allows DERT to recover the cost of training police officers from municipalities (§ 15).

The bill eliminates (1) the Office of State Fire Administration, which maintains and operates a state fire school on the commission's behalf, and (2) the state fire administrator's position (§ 30). By law, the state fire administrator carries out the commission's day-to-day responsibilities.

The bill eliminates reimbursements to (1) fire departments for Firefighter 1 and firefighter recruit training programs and (2) volunteer fire companies providing services on limited access highways, the Berlin Turnpike, and a section of Route 8 (§§ 25 & 30).

The bill allows the DERT executive director to adopt implementing regulations and requires him or her to submit an annual report to the governor and the Office of Legislative Management on DERT's activities, recommendations, and accomplishments.

The bill makes numerous technical and conforming changes.

EFFECTIVE DATE: July 1, 2011

§ 1 — ESTABLISHMENT OF DEPARTMENT

The bill establishes DERT to train police and fire service personnel. The governor appoints DERT's executive director, who must know about training standards and methods relating to law enforcement or fire prevention and control.

As is currently required for POST, the executive director must develop and periodically update and revise a comprehensive municipal police training plan. And, as is currently required for the commission, the executive director must establish standards for a fire service training and education program. He or she may:

1. within available appropriations, employ staff;
2. accept contributions, grants, gifts, donations, services, or money from public or private entities;
3. apply for, qualify for, and accept federal funds for police officer and firefighter training; and
4. contract for services and perform necessary and appropriate actions to carry out DERT's functions. Any contract costing more than \$3,000 must be approved by the attorney general.

Duties of the Executive Director

Municipal Police. With respect to municipal police training, the bill transfers to the executive director all of the duties currently performed by POST. He or she must:

1. require that probationary police officers get the hours of basic training deemed necessary for certification and complete training within one year after their appointment, unless the executive director grants an extension;
2. require probationary police officers to be registered at the training academy no later than 10 days after they are hired;
3. certify police officers who have satisfactorily completed minimum basic training;
4. require that police officers satisfactorily complete at least 40 hours of certified review training every three years to maintain certification, unless granted a one year extension;
5. renew the certificate of police officers who satisfactorily complete review training;
6. visit training schools and inspect them at least annually;
7. consult and cooperate with higher education institutions on the development of specialized police science and police administration courses;
8. consult and cooperate with state and federal agencies and departments about police training;
9. inspect and evaluate law enforcement units, as necessary, for compliance with provisions on training and related laws;
10. at the request and expense of any law enforcement unit, conduct general or specific management surveys;
11. develop objective and uniform criteria for waiving regulations or procedures;
12. appoint any POST training instructor, or other person as determined by POST, to act as a special police officer, provided the appointee is a certified and sworn police officer vested with

arrest powers; and

13. recruit, select, and appoint probationary police officers and provide recruit training for candidates of the Connecticut Police Corps program in accordance with federal law.

Firefighters. With respect to state fire training, the bill transfers from the commission to DERT the duty to (1) administer the state's responsibilities under federal laws relevant to fire service and (2) develop a fire prevention and control master plan.

§ 2 — MUNICIPAL POLICE TRAINING SCHOOL

The bill requires DERT to maintain and operate a municipal police training school. DERT must fix tuition and fees for training and education programs and sessions and for other purposes deemed necessary for the school, subject to Office of Policy and Management's (OPM) approval. The fees must be used solely for training and educational purposes.

DERT may establish and maintain a municipal police officer training school training and education extension account, which must be a separate, nonlapsing General Fund account. DERT may use the account for the training and education extension programs and sessions it establishes.

All proceeds derived from operating the programs and sessions must be deposited in the General Fund and credited to and become a part of the resources of the account. All direct expenses incurred in conducting the programs and sessions must be charged, and any payments of interest and principal of bonds or sums transferable to any fund for such interest and principal and any cost of equipment for such operations may be charged, against the account on the State Comptroller's order. Any balance of receipts above expenditures must remain in the account and used for the training and education programs and sessions.

§§ 3-5 — TECHNICAL AND CONFORMING CHANGES

These sections make technical and conforming changes.

§§ 6 & 7 — POST TRANSFERRED

The bill puts POST in DERT, instead of the State Police, for administrative purposes only. It eliminates POST' policy making functions. Under current law, POST is responsible for:

1. developing a comprehensive municipal police training plan;
2. training, certifying, and establishing minimum qualifications for municipal police officers;
3. enforcing professional standards for certification and decertification of police officers; and
4. developing standards for, and granting accreditation to, law enforcement units that meet the standards.

(While the agency's responsibilities are mainly described in terms of "police officers," its authority extends to other persons who perform police functions, according to a 1993 attorney general' opinion.)

The bill, instead, requires POST to recommend to the executive director:

1. a comprehensive municipal police training plan;
2. the approval of police training schools, certification of schools, and revocation of certification;
3. equipment, facilities, and minimum courses of study and attendance at approved police schools;
4. minimum qualifications for law enforcement instructors and the issuance of appropriate certification for them;
5. the establishment of uniform, minimum educational and training standards for employment as a police officer in any position; and

6. the development, adoption, and revision of comprehensive accreditation standards for the administration and management of law enforcement units; accreditation for units that demonstrate compliance with the standards; and, at the request and expense of any law enforcement unit, conduct surveys to determine compliance with the standards.

§§ 8-13 & 16-22 — CONFORMING CHANGES

These sections make technical and conforming changes.

§ 14 — MISSING PERSON POLICY

Current law requires POST to develop a missing person policy by January 1, 2008. (POST has already developed the policy.) The bill requires DERT to develop a policy by 2012.

The policy must include:

1. guidelines for accepting reports;
2. types of information an agency must collect and record;
3. circumstances that indicate that a missing person should be classified as high risk;
4. types of information the agency should provide to the person making a report, the missing person's relatives, or anyone who can help the agency find the person; and
5. agency responsibilities and procedures in responding to a report.

§ 15 — COST OF POLICE TRAINING

Under current law, POST may recover from any municipality that operated a local police training school and stopped operating the school on or after January 1, 2007, the costs of training the municipality's police recruits. Under this bill, DERT may recover from any municipality, the cost of training its recruits.

§§ 23 & 24 — COMMISSION ON FIRE PREVENTION & CONTROL

The bill removes the commission from DPS for administrative purposes and puts it within DERT for administrative purposes. It changes the role of the commission. Under current law, the commission is primarily responsible for providing training, life safety education, and professional competency certification to fire service personnel, and serves as both an advisory and policy making body. This bill makes it a purely advisory body.

The bill limits the commission's functions to:

1. as under current law, recommending minimum standards of education and physical condition for firefighter positions;
2. recommending, instead of establishing, standards for a fire service training and education program, on a voluntary basis, and for an examination program to certify fire service personnel who satisfactorily demonstrate their ability to meet the standards;
3. recommending, instead of conducting, firefighting training and education programs to help firefighters develop and maintain their skills and keep abreast of pertinent technological advances; and
4. as under current law, recommending promotion standards for fire service personnel.

The bill transfers the commission's other duties and responsibilities to DERT.

§ 25 — REIMBURSEMENT FOR FIREFIGHTER TRAINING

The bill requires DERT, instead of the Office of State Fire Administration, (which the bill eliminates) to operate and maintain a state fire school.

It requires the OPM secretary, instead of the commission, to approve the fees for the school's fire and education training programs.

It allows DERT, with the OPM secretary's approval to borrow from the General Fund to establish or continue auxiliary services activities at the school. Under current law, the Commission on Fire Prevention and Control can do this without the OPM secretary's approval.

The bill eliminates a provision reimbursing municipalities, municipal fire departments, and state agencies one-half the cost of providing Firefighter 1 certification and recruit training for municipal, volunteer, and state agency fire personnel.

§§ 26-29 — TECHNICAL AND CONFORMING CHANGES

The bill (1) requires the DERT executive director, instead of the comptroller, to process applications for workers compensation involving police officers and firefighters and (2) makes conforming, technical, related changes.

§ 30 — SUPPLEMENTAL AWARD GRANT ASSISTANCE PROGRAM

The bill eliminates the supplemental grant award remittance program, which provides grants to volunteer fire companies providing services on limited access highways, the Berlin Turnpike, and a section of Route 8 (§ 30).

The bill eliminates the Office of State Fire Administration and the state fire administrator's position. Under current law, the state fire administrator is appointed by the commission and carries out the day-to-day responsibilities of the office and commission.

BACKGROUND

Related Bills

sSB 997, reported favorably by the Public Safety and Security Committee, broadens DEMHS' jurisdiction by putting it in charge of fire service, municipal police, emergency telecommunications, and emergency medical services.

SB 1017, reported favorably by the Public Safety and Security Committee, eliminates DEMHS and transfers its functions and

responsibilities to DPS and the DEMHS commissioner's functions and responsibilities to the DPS commissioner. It creates a Division of Emergency Management and Homeland Security in DPS, but the division's duties are unclear (§ 23).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 14 Nay 9 (03/15/2011)